S.B.CIVIL WRIT PETITION NO.5705/2004
(Himta Ram Vs. State of Raj.& Anr.)

Date of order : : 26.04.2007

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr.R.S.Shekhawat for
Mr.Pushpendra Singh, for the petitioner.
Mr.S.N.Tiwari, Dy.G.A. for the State.

Heard learned counsel for the parties.

In this case, initially the application filed under Order 39 Rule 1 & 2 read with Section 151 CPC for temporary injunction was allowed by the trial court vide its order dated 19th of October 2002 and status quo was ordered to be maintained. The stay order was challenged by way of filing an appeal by the State and vide Annexure-2 dated 16th of November 2004, the order passed by the trial court was set aside by the District Judge Jalore which is under challenged in this writ petition.

This writ petition was filed in the year 2004 and there is no stay in favour of the petitioner, therefore, in the facts and circumstances of the case while rejecting the prayer

for quashing Annexure-2 dated 16.11.2004 passed by District Judge Jalore, the trial court is directed to expedite the trial of the suit and suit may be decided preferably within a period of six months from today.

With the aforesaid observations, this writ petition is disposed of.

(GOPAL KRISHAN VYAS) J.

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